

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(NORTHERN DIVISION)

PATRICE WOLFE,

*

Plaintiff,

*

v.

*

Case No. L-02 CV-3965

MED-TEL INTERNATIONAL
CORPORATION,

*

Defendant.

*

* * * * *

MEMORANDUM IN SUPPORT OF BILL OF COSTS

On March 31, 2005, summary judgment was entered on behalf of Med-Tel International Corporation ("Med-Tel"), the Defendant in the above-captioned action. Med-Tel, by its undersigned counsel now requests, pursuant to Federal Rule 54(d) and Local Rule 109, that costs be taxed in the total amount of \$1,227.49 as set forth on the attached bill of costs. Supporting receipts and invoices are attached to the Bill of Costs, and undersigned counsel has executed the Declaration on the Bill of Costs. A supporting Affidavit is also submitted herewith.

The costs Med-Tel seeks are itemized as follows:

1. Deposition Transcripts: Med-Tel requests taxation of the court reporter fees of \$798.00, for the transcripts of the following deposition arranged by Med-Tel:

Patrice Wolfe, Plaintiff, 266 pages @ \$3.00 per page

Med-Tel necessarily obtained this deposition for its defense against Plaintiff's claims. Ms. Wolfe is the Plaintiff, and her deposition was key to Med-Tel's defense. Plaintiff's deposition was repeatedly and extensively cited in Med-Tel's successful Motion for Summary Judgment and Reply Memorandum.

Med-Tel requests taxation of the court reporter's fees of \$388.75 for the transcript copies of the following depositions arranged by Plaintiff:

Ronald Coleman, CEO of Med-Tel: 67 pages @ \$1.25 per page
 Robert Klein, Med-Tel's Executive Vice President for Law: 95 pages @ \$1.25 per page
 David Parker, Patrice Wolfe's Direct Supervisor: 127 pages @ \$1.25 per page
 Erin Marshall, a Co-Worker of Patrice Wolfe's: 22 pages @ \$1.25 per page

Med-Tel necessarily purchased copies of these depositions from the reporter selected by Plaintiff. Transcripts for each of these witnesses were cited to support Med-Tel's successful Motion for Summary Judgment. David Parker was Plaintiff's Supervisor and interacted with her regarding the termination of her employment. Mr. Coleman was accused of discriminatory conduct. Mr. Klein testified regarding Med-Tel's investigation of Plaintiff's claim of harassment and the remedial efforts taken. Ms. Marshall testified about the work atmosphere in the Med-Tel facility where Plaintiff worked. Because the actual costs per page for all of the above transcripts were greater than the amount permitted under the Court's guidelines, Med-Tel has only sought taxation of costs at the \$1.25 per page rate permitted by the Court.

Under such circumstances, the costs in obtaining these deposition transcripts were necessary and reasonable and should be taxed. *See Cofield, et al. v. Crumples*, 170 F.R.D. 510 (E.D. Va. 1998), *citing LaVay Corp. v. Dominion Federal Savings & Loan*, 830 F.2d 522, 528 (4th Cir. 1987), *cert. denied*, 484 U.S. 1065 (1988) (Depositions of individuals with critical knowledge of alleged discrimination properly taxed as costs).

2. Photocopying Fees: Defendant requests taxation of photocopying costs as follows:

Summary Judgment Motion and Supporting Memorandum:	
Number of Pages:	25
Number of Copies	2
Per Page Rate:	\$.07
Total Cost:	\$3.50

Exhibits:

Number of Pages:	246
Number of Copies:	2
Per Page Rate:	\$.07
Total Cost	\$34.44

Reply Memorandum and Exhibits:

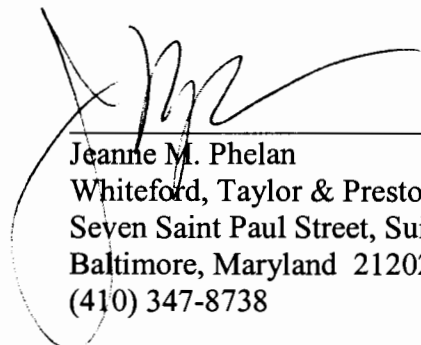
Number of Pages:	20
Number of Copies:	2
Per Page Rate:	\$.07
Total Cost	\$2.80

The Motion and Reply included lengthy exhibits that were required under the Local Rules to be filed in paper form with the Court. The enumerated costs reflect the costs of preparing the copy of the Motion for Summary Judgment and accompanying Memorandum, Deposition Excerpts and Exhibits and the Reply Memorandum and Exhibits submitted to the Court and one copy of these documents mailed to Plaintiff's counsel. They total \$40.74. These costs are fully taxable as provided for in Federal Rule 54(d) and 28 U.S.C. § 1920(4).

CONCLUSION

Wherefore, in accordance with the foregoing, Med-Tel requests that costs be taxed in the total amount of \$1,227.49.

Respectfully submitted



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(410) 347-8738

Attorney for Defendant,
Med-Tel International Corporation

Ambassador Legal Services LLC
 25B Vreeland Road, Suite 301
 Florham Park, NJ 07932
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 973-410-1315 (Fax)
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Affiliate Firm: Walls Reporting, Inc.

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<u>Description of Charges</u>	<u>Deponent</u>	<u>Depo Date</u>	<u># of Days</u>	<u>Quantity @ Price per page</u>	<u>Totals for Invoice</u>
Original and one copy of transcript (member)	WOLFE, PATRICE	3/29/04	10	266 @ \$3.00	\$798.00
Appearance Fee	WOLFE, PATRICE		0	1	\$30.00
Postage - regular delivery			10	1	\$6.50
				Amabassador Surcharge	\$0.00
				Total Due	<u>\$ 834.50</u>

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67 PAGES @ \$2.00 PER PAGE (COPY)	134.00

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ITEM	DESCRIPTION	QTY	RATE	AMOUNT
IN RE:	WOLF vs. MED-TEL CORP. Date of dep: December 8, 2003 Reporter: Anne Horner, AA, CR	1		0.00
COPY	Deposition of Robert Klein	95	2.25	213.75
E-Trans.	Unrestricted E-Transcript/condensed transcript w/ index/ASCII	1	25.00	25.00
POST	Postage/admin	1	10.00	10.00

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Seven Saint Paul Street
Baltimore, Maryland 21202

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ITEM	DESCRIPTION	QTY	RATE	AMOUNT
IN RE:	WOLF vs. MED-TEL INTERNATIONAL Date of depos: March 25, 2004 Reporter: Anne Horner, AA, CR	1		0.00
COPY	Depositions of Erin Marshall and David Parker	149	2.25	335.25
EXHIBITS	Exhibits	30	0.20	6.00
POST	Postage/admin	1	10.00	10.00

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